



Planning Department
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OG-09-03-124

March 13, 2009

Powell Surveying
341 Grantsdale Rd
Hamilton, MT 59840

RECEIVED

MAR 16 2009

Ravalli County Commissioners

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Re: Squires Court Ordered Split, Cause No.: DR-07-44

Dear Mr. Powell,

The Planning Department has been provided with a preliminary Certificate of Survey (COS) depicting a proposed Court-Ordered division of the Squires Property (Parcel #816900). On January 15, 2009, the Court of Honorable Robert L. Deschamps III granted approval to have a judicial partition of the property.

The property is not located in a voluntary zoning district. The Ravalli County Subdivision Regulations are applicable in the area. An exemption to the subdivision regulations has been approved under Section 4-4-2 (Qualified Exemptions – Order of a Court).

The Planning Department has determined that the proposed division does not appear to be for the purpose of evading the subdivision regulations or the MSPA. The Planning Department can generally support the proposed land division and has included the following comments for consideration:

1. Written confirmation, from the Environmental Health Department, that each lot meets or exceeds local and State Department of Environmental Quality (DEQ) standards for wastewater treatment and potable water (wells) should be obtained.
2. Further development of the properties should include, when appropriate, access permits from the road department, additional structures requiring wastewater treatment facilities exemption application, subdivision exemption application, floodplain analysis, and/or subdivision review.
3. Water rights and irrigation practices are routinely subject to intense public debate in Ravalli County's subdivision hearings. Water rights, if any, should be transferred and used on the parcels in order to help protect area water users while guaranteeing access to water on each tract of land. A master irrigation plan addressing water distribution among the two lots should be filed with the COS, if needed. Allocation of water should be a part of this master irrigation agreement. All irrigations ditches located on the property, if any, should be shown on the COS with a 10-foot easement (5-foot on either side of the ditch) for maintenance purposes.

If you have any questions, please contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Fifrick', with a long horizontal stroke extending to the right.

Randy Fifrick, Planner I

Cc: Clerk and Recorder
Board of County Commissioners